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REMARKS

This Preliminary Amendment is being filed with a Request for Continued Examination in view of the final Office Action dated October17, 2007. Claims 1 and 7 have been amended to incorporate the limitations previously recited in claim 2 and therefore the amendments do not add any new subject matter.

In the Office Action dated April 4, 2007, the Examiner rejects claims 1 through 17 as obvious under 35 U.S.C. 103(a) over Patent No. 5,541,662 ("Adams") in view of Patent No. 5,699,106 ("Matsubara") and further in view of Patent No. 6,182,090 ("Peairs"). Applicants respectfully traverse these rejections and request that these rejections be withdrawn for at least the reasons presented below.

Adams discusses methods and systems for coordinating video and audio streams using associated data streams to enable content programmer control of the display and selection functions of a video system. Col. 1, lines 7-11. The computer system 10 of Adams receives packetized digital data streams from a satellite receiver, a CATV receiver, or a television broadcast receiver over a communication line. Col. 4, lines 5-33. The computer system extracts video data packets, audio data packets, and associated data packets from the incoming packetized digital stream; each extracted packet including a packet header and a packet payload. Col. 4, lines 34-58 and Col. 7, lines 15-20. The packet header of each extracted packet includes a time stamp for synchronizing the video, audio and associated data carried in the packets. Col. 7, lines 15-20.

Adams discusses that the video packet payload of a video packet provides digital video data for display in a video display window. Similarly, the audio packet

payload of an audio packet provides audio to speaker, and the associated data payload of an associated data packet provides interactive video command and control functions for the computer system 10. Col. 7, lines 22-37. Specifically, Adams discusses the the associated packet data includes command protocols for performing a plurality of functions, such as graphic/icon for display, displaying graphic/icon at position with scale, defining the height and width of a selection region, defining the command to be performed when selection region is selected, etc. Col. 7, lines 38-67.

Kikinis discusses an interactive program selecting system that uses a multi-channel broadcast signal. The system includes a channel dedicated to a menu and the receiver (set-top box) is operative to process the signal and display the menu information. Similarly, a user may then make programming selections from a remote control.

Peairs discusses documents provided to a document server that maintains a database of documents, either as editable computer files, digitized images, or a combination of both. Col. 2, lines 10-15. The document provided to the document server retains only one page of the document in which the retained page serves as an example page for when the entire document is desired for future retrieval. Col. 2, lines 20-23. Specifically, Peairs discusses a document storage unit that includes a page processor that generates icons, a key generator, and an icon serializer. Col. 4, lines 34-36. The page processor processes an example page taken from a document to form an icon. The key generator extracts information from the document to generate keys for use in locating the document after storage. These generated keys are stored in a document index table along with a pointer to the location of the document. Col. 4, lines 34-47. The icon serializer

increments the number or code used to identify a particular icon in which the number or code is sent to the document index table to be used as a key for the document. Col. 4, lines 48-67.

Independent claim 1 is directed towards a system for providing an interactive look-and-feel in a playing device receiving a digital broadcast, comprising a signal generator which generates a digital signal comprising interleaved bits of at least one of audio, video and binary data for play on a playing device, and private data. The private data includes an event identification for the at least one of the audio, video and binary data. Additionally, the private data includes an indication of a number of hot-spots for linking to additional at least one of audio, video and binary data. Each hot-spot is linked to the additional at least one of audio, video and binary data by link data. The link data including a set of coordinates defining a location on the playing device. A link event identification indicating additional at least one of audio, video and binary data coupled to the set of coordinates.

Further according to independent claim 1, the private data includes synchronization time indicating the temporal position of the additional at least one of audio, video and binary data. Additionally, the system comprises means for continuously broadcasting said digital signals from a head end server without transmission from the playing device, and a receiver which receives the digital signal at user locations and plays at least one of the audio, video and binary data on the playing device. Moreover, amended claim 1 recites the receiver including a processor for identifying the two or more points of the set of coordinates. The receiver is adapted to selectively exercise upon a hot-spot by reading the link data and playing the additional at least one of audio, video

and binary data on the playing device. Independent claim 7 comprises substantially similar elements to independent claim 1, but cast as a method for providing an interactive look-and-feel in a playing device receiving a digital broadcast.

In support of the rejection of claim 2, the Examiner cites Adams as teachings the claimed process for "identifying the two or more points and positioning the hot-spot portion of the broadcast signal thereform," to which Applicants respectfully disagree. Rather, Applicants submit that Adams fails to teach or suggest this limitation and the Examiner-cited passages of col. 5, lines 25-64 and col. 8, lines 35-40 merely discuss the processor 52, but do not teach or suggest the claim identification of two or more points and the positioning of the hot-sport portion. In fact, these passages merely describe the various audio, video and data sub-systems but are silent regarding the claimed limitations previously recited in claim 2, but now recited in claims 1 and 7. As such, Applicants submit the rejection is improper because the combination of these prior art references fail to teach or suggest all of the claimed limitations recited in claims 1 and 7.

The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over Thomas and the prior art of record. Given the applicants' position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Respectfully submitted,

Dated October 31, 2007

THIS CORRESPONDENCE IS BEING SUBMITTED BY FACSIMILE TO THE PATENT AND TRADEMARK OFFICE ON October 31, 2007.

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